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PATENT  
Customer Number 22,852  
Attorney Docket No. 08702.0007-02000

CERTIFICATE UNDER 37 CFR § 1.10 OF  
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October 15, 2003

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: E. Stewart Mittler

E. STEWART MITTLER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

22387 U.S. PTO  
10/688016  
101503

**Mail Stop Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Prior Application Art Unit: 1652 Prior Application Examiner: Kathleen M. Kerr

SIR: This is a request for filing a

☐ Continuation ☐ Continuation-in-Part ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/950,634 filed September 13, 2001 of Thomas J. CAGGIANO, Yanqiu CHEN, Amedeo A. FAILLI, Katherine L. Molnar-KIMBER, and Koji NAKANISHI for EFFECTOR PROTEINS OF RAPAMYCIN.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 09/950,634 as originally filed on September 13, 2001, which is incorporated herein by reference.

2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.

Basic Application Filing Fee					\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	36	-	20	16	x \$18	288
Independent Claims	14	-	3	11	x \$86	946
<input checked="" type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$290	290
Subtotal						\$ 2294
Reduction by 1/2 if small entity						- 0
TOTAL APPLICATION FILING FEE						\$ 2294

6. ☐ A check in the amount of \$ to cover the filing fee is enclosed.
7. ☒ The Commissioner is hereby authorized to charge the fee due of \$2,294.00 and any additional fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☐ New acceptable drawings are enclosed.
9. ☒ The prior application is assigned of record to: American Home Products

10. ☐ Priority of Application No. \_\_\_, filed on \_\_\_ in \_\_\_ is claimed under 35 U.S.C. § 119. A certified copy  
☐ is enclosed or ☐ is on file in the prior application.
11. ☐ Small entity status is appropriate and applies to this application.
12. ☐ The power of attorney in the prior application is to at least one of the following:
13. ☐ The power appears in the original declaration of the prior application.
14. ☒ Since the power does not appear in the original declaration, a copy of the power in prior Application Serial No. 08/471,112 (from which this application claims priority) is enclosed.
15. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
16. ☒ Recognize as associate attorney FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146;

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PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent application Serial No. 09/950,634, filed September 13, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 15, 2003

By: E Stewart Mittler Reg No 50,316 for  
Michael Siekman  
Reg. No. 36,276

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